



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,818	01/18/2006	Isao Sogo	2005_1938A	7412
513 7590 10/28/2008 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021				
EXAMINER				
HON, SOW FUN				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
10/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

Request for Reconsideration

1. The request for reconsideration has been fully considered but deemed unpersuasive for the reasons set forth below.
2. Applicant argues that Dick is not teaching away from the use of hindered phenols and instead, teaches that it is optional, with the additional teaching of representative hindered phenolic compounds which are useful therein.

Applicant is respectfully apprised that Dick does teach a primary example which does not contain any hindered phenolic compounds (Example 1, column 4, lines 15-35) which means that Dick recognizes that hindered phenolic compounds can be omitted in many applications.

3. Applicant argues that the color stability mentioned by Dick only relates to yellowness and is different from the brightness of the present invention.

Applicant is respectfully apprised that the features upon which Applicant relies (i.e., brightness in units of cd/m^2) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

4. Applicant argues that there is no motivation to combine Dick with Mitsunaga for any reason.

Applicant is respectfully apprised that both Dick and Mitsunaga are directed toward the need for polycarbonate resin with good color stability, and are thus

addressing a common problem. Dick is the secondary reference that recognizes that the hindered phenol compound is omitted in instances where it does not provide the desired color stability in certain environments (not necessarily, column 1, lines 23-30, 36-41) and hence teaches that its usage is optional (abstract), thus providing the motivation to modify Mitsunaga.

5. Applicant argues that Dick does not teach that an advantage for reducing the presence of the hindered phenol is the increase in brightness.

Applicant is respectfully apprised that the fact that Applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

6. Applicant argues that aside from Davis, Mitsunaga and Hiraishi both also fail to disclose or suggest the brightness of the backlight application.

Applicant is respectfully apprised that the features upon which Applicant relies (i.e., brightness in units of cd/m^2) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, the fact that Applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks, can be reached on (571)272-1401. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sophie Hon/

Sow-Fun Hon

/KEITH D. HENDRICKS/
Supervisory Patent Examiner, Art Unit 1794